

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY
COUNCIL HELD WEDNESDAY, AUGUST 2, 2000.**

Mayor and Council Present: Mayor Merle Cole. Council Members: Byron Anderson, Craig Anderson, Kevin Hall, Justin Linares and Karen Watson.

Appointed officers and employees present: Wendy Palmer, City Recorder, Attorney Ronald Elton.

Citizens and Guests: Joe Borgenicht (press), Jay Weyland, Lane Nielson, Rosemary Anderson, Youth City Council Members: Kathryn Bitner, Shawn Sagers, Valerie Warner, Joanna Johnson, Evan Nelson, Marci Askerland, and Gentry Lawrence. Joe Cange, Monte McKendrick, Morley Cook, Lynn Taylor, Ardell Henderson, Benson Whitney.

YOUTH CITY COUNCIL: Kathryn Bitner introduced the new Youth City Council for 2000/2001. Recorder Palmer administered the oath of office to Kathryn Bitner, Shawn Sagers, Valerie Warner, Joanna Johnson, Evan Nelson, Marci Askerland, and Gentry Lawrence.

CONSIDERATION OF NEW BUSINESS LICENSE FOR NATHAN BUTLER: Recorder Palmer stated that she did not receive an application for this business license request. Council determined to wait to consider Nathan Butler's business license request until the August 16, 2000 City Council meeting.

LANE NIELSON – DISCUSSION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM: Lane Nielson introduced himself and explained that he works out of the office of the Wasatch Front Regional Council. Mr. Nielson explained to the Mayor and Council that the Community Development Block Program (CDBG) is Federal funds from the Housing and Urban Development program. The national objective of this program is to benefit low to moderate-income families. The CDBG funds can be used for water lines, sewer lines, fire stations, sidewalks and several other projects as long as the project benefits 51% or more low to moderate income families. Tooele County receives \$250,000 to \$300,000 dollars annually to be allocated by the Council of Government. Mr. Nielson explained that if the project affects only 40% low to moderate-income families CDBG funds could still be awarded but the grant funds could only pay for the 40% of the project. Mr. Nielson stated that the low/moderate income for a 4 member family qualifies if they earn \$34,800 or less a year. Karen asked about improving a trailer court that is a blight situation. Mr. Nielson stated that funds could be used to eliminate a slum and blight area in your community but this is a very difficult area to qualify. The funds cannot be used to provide income to an individual. Lane stated that if there is another area to qualify to receive funds but in order to qualify you would have to show urgent health and welfare needs and all other funding sources must be exhausted. The possibilities of installing new roads through the trailer court or improvement of the water and sewer lines. Lane explained that there is a pre-grant meeting that attendance is required. This meeting is in September but he does not have the date yet. Possible projects stated were for the Head Start Preschool – fixing up the building and a new fire station.

CASTLEWOOD COVE – REQUEST APPROVAL FOR MINOR SUBDIVISION: Benson Whitney, representing the Castlewood Cove Subdivision presented, the request for approval of a minor subdivision of this approved subdivision. Mr. Whitney stated that the intent of the minor subdivision is to divide and sell the land outside of Phase 1. Attorney Elton explained that the approval of the minor subdivision does not change the approval process for phases 2 & 3. The minor subdivision only allows the Castlewood Cove developers to sell phases 2 & 3 to another developer. Craig made the motion to approve the minor subdivision request by Castlewood Cove. Seconded by Byron. All voted in favor, motion carried.

CONSIDERATION OF ORDINANCES & RESOLUTIONS:

- a. **Zone Change from R1-8 to A-10 - 410 W. Clark Street-** Byron made the motion to approve the zone change from R1-8 to A-10 at approximately 410 W. Clark Street. Seconded by Kevin. Justin commented that requesting a lower density zoning designation is very unusual. All voted in favor, Motion carried. Ordinance 2000-21
- b. **City & Town Campaign Finance Disclosure:** Kevin made the motion to approve Ordinance 2000-22 adopting rules for election finance disclosure. Seconded by Justin. All voted in favor, motion carried.

REQUIREMENT OF OUTDOOR WATER FOR OPEN SPACE AND “NATURAL LANDSCAPE:”

Craig explained that the Planning Commission requested that the City Council provide more choices for the Planning Commission to consider. Craig asked the Council if the Council wants to require that every square foot of a parcel be considered irrigated or are we going to allow for non irrigated property. Karen stated that it is her opinion that we do not water open space. Justin stated that if you do not get the water up front when you purchase property it is financially difficult to purchase the water later. Karen stated that the property owners should have the right to choose what to water and what not to water. Mayor stated that in his mind there is a big difference in open space that is cared for and natural landscape that is planned and cared for verses letting the land left to look like crap. Kevin stated that we should look at the footprint of the Irrigation Company and require where there has historically been water to require the water remain. Craig stated that if we require that development must leave the water where it was at the rate of three-acre feet of water per acre you will accelerate the loss of our agriculture land because the water will have to remain on developed property. Kevin stated that the three-acre foot of water requirement is for irrigatable land. This means that the rooftops, roads, driveways, garages etc., are calculated out of the irrigation calculation. This will still provide extra water shares available for sale or use on agriculture land. Kevin stated that we should not have ½ acre lots on the west bench where there is no water available we should consider a different type of development in areas where there is no water. Mayor stated that the Irrigation Company is not interested in conservation. They need to empty the reservoir every year in order to store the spring run off the next year. The city has to pump all of their water and conservation makes sense for us. We would like to shut the pumps off and conserve water and electricity costs. Byron asked if the intent of “Historically Green” meant covered by paper water? Kevin stated yes. The water should go with the ground. The question is how much of the ground are we going to require to be watered. Justin stated that we have people moving into homes that don’t understand the water issues and get frustrated when they can’t use the water to water all of their property or the fact that they must use the irrigation water on the land and not the culinary water. Mayor stated that just because “Natural Landscape” is considered it does not mean that it is not cared for. A planned natural landscape can still be cared for even it is not watered. Mayor stated that we need a reason to make the landscape natural. We cannot accept natural landscape just because the development does not want to buy the required amount of water. If there is a gully present on the property or a storm water plan is considered, or trees are existing. Attorney Elton stated that the ordinance currently allows for development to asked for non-watered landscape if it is compatible with the neighborhood. Kevin asked if the city would take over these areas of natural landscape. The Mayor stated that the development would still be responsible to care for this area of natural landscape. Karen stated that we need to define open space and natural landscape in the general plan.

Issues sent to Planning Commission for consideration:

- a. Natural Landscape must be cared for – need some water to no water depending on the vegetation.
- b. Natural Landscape must have a reason for being natural – can not be because of lack of purchased water.
- c. Consider the footprint of the Irrigation Company infrastructure.
 1. Consider a standard for property within the infrastructure.
 2. Consider a standard for property outside of the infrastructure.
- d. Require all of the needed water even including water for “Natural Landscape”
- e. Define open space as green cared for property that is not buildable.
- f. Define Natural Landscape as “Planned Natural Landscape”
 - 1- Natural Landscape must have some care provided to it.

Graduated water rates: Kevin stated that he has some concerns with the graduated water rates. Kevin stated that those people on the water shut off list each month may be adversely affected by the higher water rates. Some of these people on the water shut off list can barely pay their water bill now. If we raise the water rates for those using over the minimum it will make it even more difficult for them to pay. Some of these people on the water shut off list can not afford to make the need repairs to their pipes, toilets etc. and this items are what are causing their water bills to go over the minimum. Craig stated that in prior discussion of the graduated water rate it was suggested that the commercial and industrial users be treated separate so they would be unaffected. Mayor stated that the graduated water rate is a proven conservation method.

Water impact fees: Craig made the motion to revisit the water impact fee for the following reasons:

1. The \$4000 per acre foot of water is out of line and needs to be brought down to a reasonable amount.
2. The indoor water acquisition fee should not be charged for existing infill lots or approved subdivision lots that were approved prior to the acquisition fee implementation.
3. Set a cap on the outdoor water source impact fee to allow watering of 14,000 square feet only.

Seconded by Byron. All voted in favor, motion carried.

Rental units water bill issue: Byron made the motion to change the current policy. The new policy for water billing of units in an apartment or trailer complex will be the following:

1. If an apartment or trailer is vacant there will not be any elimination of the water, sewer or garbage charges during a vacancy.

Seconded by Craig. Vote is as follows: For – Craig, Byron, Justin, and Kevin. Opposed – Karen. Motion carried.

CONSIDERATION OF SETTING DATE FOR GREEN CLEAN: Mayor stated that he would like to have one more green clean day sponsored by the city this year. It was determined to place this on the August 16, 2000 City Council Agenda for working out an appropriate date.

CONSIDERATION OF SETTING A PUBLIC HEARING FOR AN AMENDMENT TO THE LAND USE MANAGEMENT & DEVELOPMENT CODE: Kevin made the motion to set September 6, 2000 at 7:00 p.m. for a public hearing to receive input on a proposed amendment to reduce the side yard for accessory buildings on a corner lot in the R1-8 zone. Recorder Palmer stated that the Planning Commission recommended this change in April 2000 but the public notices were only for the Rm-7 zone. Seconded by Karen. All voted in favor, motion carried.

RURAL ROAD STANDARDS: Craig stated that he would like to know if the Council and Mayor would like him to pursue a set of standards for a rural road standard. Craig stated that if Grantsville City is going to ask for large lots and a rural standard for development we should provide a rural road standard that could encourage development to move in this direction. If you require a developer to put in the same type of roads that a high-density subdivision does then lets do away with rural development and go completely urban development. Kevin stated that Craig had brought this to the Planning Commission and they voted against pursuing this issue. Craig stated that the Planning Commission turned down his plan for rural road standards but the Commission was divided on this issue. Byron asked Craig to bring in some type of documentation on a rural road standard for the Council and Mayor to consider. Byron made the motion to approve Craig to pursue looking into this rural road standard and bring back a specific proposal to bring back to the Council. Seconded Karen. Vote is as follows: Craig, Byron, Justin and Karen in favor. Kevin is opposed. Motion carried.

CONSIDERATION OF THE CITY'S ABILITY TO DONATE TO CHARITIES:

Attorney Elton suggested that the city adopt a set of criteria to determine its ability to donate taxpayer funds to a charitable event or request. The City Council requested that Attorney Elton to come up with the criteria and present at the first meeting in September 2000.

CONSIDERATION OF SIDEWALK REPLACEMENT PROGRAM

REQUIREMENTS, AGREEMENT, AND POLICY. Byron stated that he would like to see an agreement signed for those citizens that are participating in the sidewalk replacement program. Kevin stated that a time limit be set at 45 days after the city removes the old sidewalk for the new sidewalk to be installed. Byron stated that a set of standards should also be adopted in order to keep our sidewalks looking good even after the sidewalk is replace. Inspections by the Public Works Director should also be required. Recorder Palmer stated that the Public Works Director shall inspect the forming and base prior to the release of a Purchase Order for the cement.

CONSIDERATION OF BILLS: Karen made the motion to approve the bills with the exception of the bill for the weed killer and the Staker Paving Bill. Kevin will check these out and approve their payment. Seconded by Justin. All voted in favor, motion carried.

OTHER BUSINESS: Mayor announced that the sewer line cleaning company would begin on August 21st. Mayor was informed that some of the sewer cleaning equipment would be noisy in case anyone gets complaints. Mayor stated that a Prison Interim Committee would be meeting on August 16th to discuss the Timpie Prison. As part of this meeting the consideration for expenses by entities involved in preparing the bids and utilities for the proposed prison will be discussed.

Justin stated that he is trying to set up a time for the economic development committee to tour Grantsville.

Karen stated that Harry Shinton representing the LEPC, would like to come to a council meeting. He would like to do a presentation on Haz Mat, it will take about 45 minutes. Mayor places this item on the second meeting in September 2000.

ADJOURN: Craig made the motion to adjourn at 11:15 p.m. Seconded by Karen. All voted in favor, motion carried.

Wendy Palmer, City Recorder

Merle E. Cole, Mayor